

REMARKS

This paper is filed in response to the Office Action mailed January 9, 2006.

Claims 23-34, 58-72, and 74-79 are pending in this application. Claims 23-27, 31, 33, 59-65, and 67-70 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 5,956,016 to Kuenzner et al (hereinafter referred to as “Kuenzner”). Claim 29 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuenzner in view of U.S. Patent No. 5,631,669 to Stobbs (hereinafter referred to as “Stobbs”). Claims 28, 30, 32, 34, 58, 66, 71-72, and 74-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuenzner in view of U.S. Patent No. 5,450,079 to Dunaway (hereinafter referred to as “Dunaway”).

The rejection of the claims is respectfully traversed. Reconsideration is respectfully requested in light of the amendments above and the remarks below.

Claims 23-27, 31, 33, 59-65 and 67-70 – § 102(e)

The rejection of claims 23-27, 31, 33, 59-65, and 67-70 under 35 U.S.C. § 102(e) as being allegedly anticipated by Kuenzner is respectfully traversed.

To sustain a rejection under 35 U.S.C. § 102(e), a reference must disclose each and every element of the claimed invention. *See* M.P.E.P. § 2131.

Because Kuenzner does not disclose “a manipulandum movable in at least two rotary degrees of freedom, wherein said at least two rotary degrees of freedom comprise a first and a second rotary degree of freedom, wherein an axis of rotation of said first rotary degree of freedom is substantially perpendicular to an axis of rotation of said second rotary degree of freedom” as recited in amended claim 23, Kuenzner does not anticipate claim 23. Kuenzner discloses a manipulandum comprising a carriage which can translate along a track, however, Kuenzner does not disclose “a manipulandum movable in at least two rotary degrees of freedom, wherein said at least two rotary degrees of freedom comprise a first and a second rotary degree of freedom, wherein an axis of rotation of said first rotary degree of freedom is substantially perpendicular to an axis of rotation of said second rotary degree of freedom.” Therefore, because Kuenzner does not disclose each and every element of claim 23, Kuenzner does not anticipate claim 23.

Applicant respectfully requests the Examiner withdraw the rejection of claim 23. Further, because claims 24-27, 31, 33, 59-65, and 67-70 depend from and further limit claim 23, claims 24-27, 31, 33, 59-65, and 67-70 are not anticipated by Kuenzner for at least the same reasons as claim 23. Therefore, Applicant respectfully requests the Examiner withdraw the rejection of claims 24-27, 31, 33, 59-65, and 67-70.

Claim 29 – § 103(a)

The rejection of claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Kuenzner in view of Stobbs is respectfully traversed.

To sustain a rejection under 35 U.S.C. § 103(a), the combined references must teach or suggest each and every element of the claimed invention. *See* M.P.E.P. § 2142.

Because the combination of Kuenzner and Stobbs does not teach or suggest “a manipulandum movable in at least two rotary degrees of freedom, wherein said at least two rotary degrees of freedom comprise a first and a second rotary degree of freedom, wherein an axis of rotation of said first rotary degree of freedom is substantially perpendicular to an axis of rotation of said second rotary degree of freedom” as recited in claim 29, claim 29 is patentable over the combined references. As pointed out above, Kuenzner does not disclose every element of claim 23 from which claim 29 depends. Further, Stobbs fails to cure the deficiencies of Kuenzner. Stobbs teaches a microphone built into a computer mouse. However, Stobbs does not teach or suggest “a manipulandum movable in at least two rotary degrees of freedom, wherein said at least two rotary degrees of freedom comprise a first and a second rotary degree of freedom, wherein an axis of rotation of said first rotary degree of freedom is substantially perpendicular to an axis of rotation of said second rotary degree of freedom.” Therefore, claim 29 is patentable over the combination of Kuenzner and Stobbs.

Applicant respectfully requests the Examiner withdraw the rejection of claim 29.

Claims 28, 30, 32, 34, 58, 66, 71-72 and 74-79 – § 103(a)

The rejection of claims 28, 30, 32, 34, 58, 66, 71-72 and 74-79 under 35 U.S.C. § 103(a) as being unpatentable over Kuenzner in view of Dunaway is respectfully traversed.

To sustain a rejection under 35 U.S.C. § 103(a), the combined references must teach or suggest each and every element of the claimed invention. *See* M.P.E.P. § 2142.

Because the combination of Kuenzner and Dunaway does not teach or suggest “a manipulandum movable in at least two rotary degrees of freedom, wherein said at least two rotary degrees of freedom comprise a first and a second rotary degree of freedom, wherein an axis of rotation of said first rotary degree of freedom is substantially perpendicular to an axis of rotation of said second rotary degree of freedom” as recited in claims 23 and 71, claims 23 and 71 and their dependent claims are patentable over the combined references.

As pointed out above, Kuenzner does not teach “a manipulandum movable in at least two rotary degrees of freedom, wherein said at least two rotary degrees of freedom comprise a first and a second rotary degree of freedom, wherein an axis of rotation of said first rotary degree of freedom is substantially perpendicular to an axis of rotation of said second rotary degree of freedom” as recited in claims 23 and 71. Further, Dunaway does not cure the deficiencies of Kuenzner. Dunaway discloses a remote control comprising a keypad. However, Dunaway does not disclose “a manipulandum movable in at least two rotary degrees of freedom, wherein said at least two rotary degrees of freedom comprise a first and a second rotary degree of freedom, wherein an axis of rotation of said first rotary degree of freedom is substantially perpendicular to an axis of rotation of said second rotary degree of freedom.” Therefore, the combination of Kuenzner and Dunaway does not teach or suggest each and every element of claims 23 and 71.

Applicant respectfully requests the Examiner withdraw the rejection of claims 71. Because claims 72 and 74-79 depend from and further limit claim 71, claims 72 and 74-49 are patentable over Kuenzner in view of Dunaway for at least the same reasons as claim 71. Therefore, Applicant respectfully requests the Examiner withdraw the rejection of claims 72 and 74-79. Because claims 28, 30, 32, 34, 58 and 66 depend from and further limit claim 23, claims 28, 30, 32, 34, 58 and 66 are patentable over the combination of Kuenzner and Dunaway for at least the same reasons as claim 23. Therefore, Applicant respectfully requests the Examiner withdraw the rejections of claims 28, 30, 32, 34, 58, and 66.

CONCLUSION

Applicant respectfully asserts that in view of the amendments and remarks above, all pending claims are allowable and Applicant respectfully requests the allowance of all claims.

Should the Examiner have any comments, questions, or suggestions of a nature necessary to expedite the prosecution of the application, or to place the case in condition for allowance, the Examiner is courteously requested to telephone the undersigned at the number listed below.

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Respectfully submitted,



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